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**MAILED**

**FEB 03 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Klee, et al. : **DECISION ON PETITION**  
Application No. 10/596,747 :  
Filed: May 8, 2007 :  
Atty. Dkt. No.: 08563-0188-U1 :

This decision is in response to the petition under 37 CFR 1.137(b), filed January 20, 2012.

The petition is **GRANTED**.

This application became abandoned October 16, 2009 for failure to timely submit a proper reply in response to the non-final Office action mailed July 15, 2009. The non-final Office action set a three month shortened statutory period of time for reply. Notice of Abandonment was mailed February 1, 2010.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The above-identified application has been carefully reviewed and found in compliance with the requirements set forth above.

The instant petition has been carefully reviewed and found in compliance with the requirements set forth above.

There is no indication that the petition is signed by a registered patent attorney or patent agent of record. However, in accordance with 37 CFR 1.34, practitioner's signature appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. If practitioner desires to receive correspondence regarding this file, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to practitioner, the petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record.

This application is being forwarded to Group Art Unit 1796 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.

*/ALESIA M. BROWN/*

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